

Max Moskowitz
Ariel Peikes
OSTROLENK FABER LLP
845 Third Avenue
New York, New York 10022
mmoskowitz@ostrolenk.com
apeikes@ostrolekn.com
Telephone: (212) 382-0700
Attorneys for Plaintiffs

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

LIFE STYLE FUTON, INC., and EASY FIT, INC.,

Plaintiffs,

v.

EASYFIT SLIPCOVER, LTD., ILYASS ET TAHIRI,
TUCOWS, INC., TUCOWS.COM CO., and
CABREXA, LLC, and the domain names:
www.easyfitcover.com, www.easyfitslipcover.com,
and www.easyfitslipcover.co, *in Rem*.

Defendants.

Index No.: 1:21-cv-01482

**[PROPOSED and REVISED]
ORDER FOR ENTRY OF A
PRELIMINARY INJUNCTION**

Upon review of the parties' submissions, including memoranda of law and declarations of fact, regarding Plaintiff's Application for a Preliminary Injunction ("Application"); and upon all pleadings and papers previously filed herein, it is

ORDERED, that the Defendants EASYFIT SLIPCOVER, LTD., ("EasyFit LTD"), ILYASS ET TAHIRI ("Et Tahiri") and CABREXA LLC ("Cabrexal") are directed to immediately, and no later than 24 hours after service on them via email of this Order:

- a. Cease all use of Plaintiffs', LIFE STYLE FUTON, INC., and EASY FIT, INC., rights in their registered trademark, EASY FIT SLIPCOVER, Reg. No.

2,706,591, for “Bedding and Furniture Coverings,” including by immediate removal of any existing use of the term Easy Fit, EasyFit or variations thereof on any e-commerce selling portal, advertisement, communication to the public, on furniture coverings and their packaging and/or as a domain name or as part of a domain name, in relation to beddings and furniture coverings; and

- b. Refrain from retaining, whether directly or indirectly, any third party to use Plaintiffs’, LIFE STYLE FUTON, INC., and EASY FIT, INC., rights in their registered trademark, EASY FIT SLIPCOVER, Reg. No. 2,706,591, for “Bedding and Furniture Coverings,” including by use of the term Easy Fit, EasyFit or variations thereof on any e-commerce selling portal, advertisement, communication to the public, on furniture coverings and their packaging and/or as a domain name or as part of a domain name, in relation to beddings and furniture coverings.

ORDERED, that the Defendants TUCOWS, INC., TUCOWS.COM CO. (collectively “Tucows”) are directed to immediately, and no later than 24 hours after service on them via email of this Order:

Cease aiding or abetting use of or contributorily using Plaintiffs’, LIFE STYLE FUTON, INC., and EASY FIT, INC., rights in their registered trademark, EASY FIT SLIPCOVER, Reg. No. 2,706,591, for “Bedding and Furniture Coverings,” including by immediate removal of any existing use of the term Easy Fit, EasyFit or variations thereof on any e-commerce selling portal, advertisement, communication to the public, on furniture coverings and their packaging and/or as a domain name or as part of a domain name, in relation to beddings and furniture coverings; and

IT IS FURTHER ORDERED that, pursuant to Fed. R. Civ. P. 65(c), Plaintiffs shall not be required to give security given the likelihood of success on the merits of Plaintiff’s trademark

infringement claims and patent infringement claims, and the ongoing damage to Plaintiff's business revenues and business reputation, and the facts that the evidence indicates that the above-named Defendants would suffer only minimal harm, if any, by the issuance of a preliminary injunction.

SO ORDERED.

Dated: February __, 2021
New York, NY

United States District Judge,

Hon. _____